

### REMARKS

This application has been reviewed in light of the Office Action dated August 24, 2004. Claims 25-34 are presented for examination, of which Claims 25 and 34, the independent claims, have been amended to define more clearly what Applicant regards as his invention. Favorable reconsideration is requested.

Claims 25-34 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,850,218 (*LaJoie et al.*).<sup>1</sup>

The aspect of the present invention set forth in Claim 25 is an information processing method. The method includes inputting video data and program information data into an apparatus. Video images of a first program derived from the inputted video data are displayed on a display device. In response to a change from the first program to a second program, program information for the second program derived from the inputted program information data, together with video images of the second program derived from the inputted video data are displayed on the display device. A setting screen for setting program information display parameters is displayed for changing a display configuration of the program information for the second program, and the display configuration of the program information for the second program is changed, as time passes, according to at least one of the program information display parameters.

---

<sup>1</sup>/Page 7 of the Office Action mentions Claim 34 in the context of “Alexander” U.S. Patent No. 6,177,931. However, that page substantively addresses Claim 34 in conjunction with passages apparently belonging to *LaJoie et al.* Accordingly, Applicant addresses the rejection of Claim 34 in the context of *LaJoie et al.*, and it is presumed that the Office Action reference to “Alexander” is in error.

Among other notable features of Claim 25 is that the display configuration of the program information for the second program is changed, as time passes, according to at least one of the program information display parameters.

*LaJoie et al.* relates to full service television systems which utilizes storage, communications, and processing techniques to provide a variety of television services, including television programming, music program, navigation controls, and the like. In contrast to the method of Claim 25, *LaJoie et al.* discusses allowing a user to change the favorite, blocked, and record status for each channel (Figure 9). That is, in the setting screen depicted in Figure 9, the status of a channel is set. However, in the display configuration of the program information as shown in Figure 4, elements 122, 123, 124, and 126, are not changed. In fact, Applicant has found nothing in *LaJoie et al.* that discusses a parameter changing the display configuration as time passes. Accordingly, Applicant submits that nothing has been found in *LaJoie et al.* that would teach or suggest that the display configuration of the program information for the second program is changed, as time passes, according to at least one of the program information display parameters, as recited in Claim 25.

Applicant therefore submits that Claim 25 is clearly patentable over *LaJoie et al.*

The aspect of the present invention set forth in Claim 34 is an information processing method including inputting video data and program information data into an apparatus. Video images of a first program derived from the inputted video data are displayed on a display device. In response to a change from the first program to a second program,

program information for the second program derived from the inputted program information data, together with video images of the second program derived from the inputted video data are displayed on the display device. Even in the case that the video images displayed in response to the change from the first program to the second program are images of a commercial video image, the program information for the second program is displayed together with the commercial video image on the display device.

According to an aspect of the invention to which Claim 34 relates, even in the case that a video image of a channel being changed to is a commercial video image, the program information of the channel being switched to (second program) can be displayed. Thus, when a program is changed and the program into which the program is changed displays a commercial at the time of changing, the program information of the program into which the program is changed is displayed.

In the Response to Arguments section of the Office Action, at pages 3 and 4, the Examiner asserts that it is inherent in *LaJoie et al.* that the displayed television has commercials and a browse banner displayed for a fixed period of time (e.g. 20 seconds). The Examiner further states that the information banner displayed for a fixed period of time will not be terminated if a commercial suddenly displays during the fixed period of time for displaying the information banner. As Applicant understands the Examiner's comments, the channel has been changed to the second program, while the second program is displayed, and that within the fixed time of, for example, 20 seconds, the channel displaying the second program displays a commercial. Under this condition, the Examiner states that the information banner will not be terminated. Without commenting on the validity of this

understanding of *LaJoie et al.*, Applicant notes that the method of Claim 34 recites that even in the case that the video images displayed in response to the change from the first program to the second program are images of a commercial video image, the program information for the second program is displayed together with the commercial video image on the display device.

That is, when the channel is changed to the channel of the second program, a commercial video image is displayed and program information for the second program is displayed together with the commercial video image. This is in contrast to the scenario discussed at pages 3 and 4 of the Office Action, in which at the time of changing the channel, the second program is displayed and that within 20 seconds from the time of changing the channel, a commercial appears, and the information banner remains displayed for the remainder of the 20 second period after the commercial appears. Accordingly, Applicant submits that nothing has been found in *Lajoie et al.* that would teach or suggest at least the above-emphasized features of Claim 34.

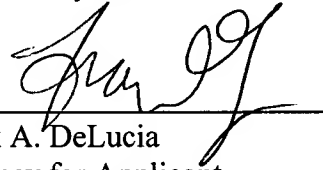
Accordingly, Applicant submits that Claim 34 is clearly patentable over *Lajoie et al.*

The other rejected claims in this application depend from independent Claim 25, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office  
by telephone at (212) 218-2100. All correspondence should continue to be directed to our  
address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank A. DeLucia', written over a horizontal line.

Frank A. DeLucia  
Attorney for Applicant  
Registration No. 42,476

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

NY\_MAIN 475325v1